

Smoke-free Multi-unit Housing

Secondhand smoke is a mixture of smoke from burning cigarettes or other tobacco products, such as cigars, pipe, or hookah, as well as exhaled smoke. Secondhand smoke causes death and disease among non-smokers, and it has been shown to cause heart disease, lung cancer, and stroke.^{1,2} Among children, secondhand smoke can increase the risk of respiratory illnesses, ear infections, and sudden infant death syndrome (SIDS), and can increase the frequency and severity of asthma attacks.^{1,2} The U.S. Surgeon General has concluded that there is no risk-free level of exposure to secondhand smoke.¹

Secondhand Smoke Exposure in Multi-unit Housing

- Implementing 100% smoke-free indoor air policies is the only way to effectively eliminate indoor secondhand smoke exposure.¹
- Strategies such as ventilation or cleaning the air cannot completely remove secondhand smoke.¹
- Secondhand smoke cannot be contained – it spreads throughout buildings and between units through shared ventilation, heating and air conditioning systems, doorways, and cracks and crevices.⁴
- According to the Centers for Disease Control and Prevention (CDC), over 1 in 3 (37%) non-smokers who live in rental housing are exposed to secondhand smoke, compared with just under 1 in 5 (19%) non-smokers who own their home.³

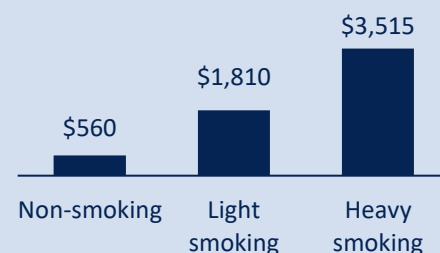
Why go smoke-free?

- **Reduced maintenance costs:** Apartment turnover costs for units where smoking is allowed may be two to seven times higher than for smoke-free units.⁴
- **Reduced fire risk:** According to the National Fire Protection Association, smoking was responsible for an average of 6,800 fires in multi-unit housing structures in the United States each year between 2010 and 2014. These fires resulted in an average of 470 injuries, 130 deaths, and \$194 million in property damage annually.⁵
- **Protect tenants' health:** If a landlord or owner has a tenant who is sensitive to secondhand smoke or has breathing disorders, they may be required under the Americans with Disabilities Act and/or the Fair Housing Act to provide accommodations to protect the tenant from secondhand smoke in their residential properties.^{6,7}
- **Demand for smoke-free housing:** Most tenants prefer to live in smoke-free housing.⁴ In 2019, 7 in 10 (70.2%) Hoosier multi-unit housing residents reported that they believed smoking should not be allowed in individual units or common areas.⁸

Fast Facts

- There is no risk-free level of exposure to secondhand smoke.¹
- Prohibiting smoking indoors is the only way to completely eliminate secondhand smoke exposure.¹
- Landlords and property owners have the legal right to make their rental properties smoke-free.¹⁰
- A majority of tenants prefer to live in smoke-free housing.⁴
- Between 2010 and 2014, smoking caused an average of 6,800 fires in apartments each year in the U.S., costing \$194 million in property damage annually.⁵
- Allowing smoking in units increases cleaning and maintenance costs.⁴

Costs to rehabilitate units were smoking is prohibited vs. where smoking is allowed⁴



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Department of Housing and Urban Development Smoke-Free Rule

In 2016, the U.S. Department of Housing and Urban Development (HUD) adopted a rule that requires public housing authorities to be smoke-free in all buildings (including units, common areas, and offices) and prohibits smoking within twenty-five feet of housing and administrative buildings. Public housing authorities have until August 2018 to implement their smoke-free policy.⁹

Implementing Smoke-Free Policies

Landlords and property owners have the legal right to make their rental properties smoke-free. There is no state or federal constitutional right to smoke, and smoke-free air policies are not discriminatory as they regulate behavior, not the person.¹⁰ For property owners interested in implementing a smoke-free policy, the American Lung Association (ALA) in Indiana can provide resources and assistance developing and implementing a smoke-free policy. See the ALA's [Smoke-free Housing Indiana Toolkit](#) for additional information.

Tips for Tenants to Protect Themselves from Secondhand Smoke

- **Do Your Homework:** Look at your lease. It may not specifically address smoking, but there might be terms and conditions about noise or other types of behaviors that can impact residents' quality of life, which could be used to make a case that your neighbors should not be smoking in a way that jeopardizes your quality of life.
- **Find Allies:** You may not be the only one affected by secondhand smoke in your housing complex. Other tenants may be willing and interested in joining with you to find a solution. When discussing the problem of other residents smoking with the landlord, owner, or management association, you are likely to have greater success with many voices instead of one.
- **Share Information:** Remind your landlord that it is legal to adopt a smoke free air policy. Even with an existing lease, a no-smoking lease addendum can be added at any time.

Indiana Smoke-free Housing Resources

- American Lung Association - Smoke-free Housing Indiana: <http://insmokefreehousing.com/>
- Find smoke-free housing: <http://insmokefreehousing.com/find-smoke-free-housing/>
- Smoke-free housing toolkit: http://insmokefreehousing.com/wp-content/uploads/2015/03/ALA_Toolkit.pdf

References

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- ⁶ ChangeLab Solutions. (2014). Smokefree Multi-Unit Housing Policies: Strategies to Support Resident Compliance. Retrieved January 4, 2017 from http://www.changelabsolutions.org/sites/default/files/Smokefree-MUH-Support-Resident-Compliance_FINAL_20140924_0.pdf/
- ⁷ ChangeLab Solutions. (2009). How Disability Laws Can Help Tenants Suffering from Drifting Tobacco Smoke. Retrieved January 4, 2017 from http://www.changelabsolutions.org/sites/default/files/Disability_factsheet_FINAL-updated-20140623.pdf.
- ⁸ Indiana Adult Tobacco Survey. 2019.
- ⁹ U.S. Department of Housing and Urban Development. (2016). Instituting Smoke-free Public Housing. Retrieved December 15, 2016 from <https://www.federalregister.gov/documents/2016/12/05/2016-28986/instituting-smoke-free-public-housing>
- ¹⁰ Graff SK. [There is No Constitutional Right to Smoke: 2008 \(2nd edition, 2008\)](#). Tobacco Control Legal Consortium. 2008.

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